

M/D-6

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
DIVISION

RECEIVED

2006 FEB 23 A 9:57

Larry Carl Dixon #138238

Plaintiff(s)

v.

Warden Willie Thomas,

Comm. Donal Campbell,

Prison Health Services, Inc.,

Defendant(s)

2:06CV 164 - WKW

MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff(s) Larry Carl Dixon #138238

moves this Honorable Court for an order allowing her/him to proceed in this case without prepayment of fees, costs, or security therefor, and for grounds therefor submits the attached sworn affidavit in support of the motion.

Larry C. Dixon  
Plaintiff(s) signature

# UNITED STATES DISTRICT COURT

## RECEIVED

District of \_\_\_\_\_

2006 FEB 23 A 11:07

**Larry Carl Dixon #138238**  
Plaintiff

V.

APPLICATION TO PROCEED  
WITHOUT PREPAYMENT OF  
FEES AND AFFIDAVIT

DIACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

**Warden Willie Thomas, et.al.,**  
Defendant

CASE NUMBER: \_\_\_\_\_

I, **Larry Carl Dixon #138238** declare that I am the (check appropriate box)  
☒ petitioner/plaintiff/movant      ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes      ☐ No      (If "No," go to Part 2)

If "Yes," state the place of your incarceration **Elmore Corr. Facility, Elmore, Alabama**

Are you employed at the institution? **Yes** Do you receive any payment from the institution? **No**

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes **N/A** ☐ No

a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

**"N/A, Incarcerated"**

3. In the past 12 twelve months have you received any money from any of the following sources?

a. Business, profession or other self-employment	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
b. Rent payments, interest or dividends	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
c. Pensions, annuities or life insurance payments	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
d. Disability or workers compensation payments	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
e. Gifts or inheritances	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
f. Any other sources	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have **any** cash or checking or savings accounts? ☐ Yes ☒ No [see P.M.O.D.]

If "Yes," state the total amount. \$0.00

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any other thing of value? ☐ Yes ☒ No

If "Yes," describe the property and state its value. N/A

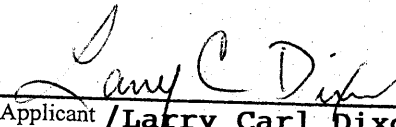
6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

**"N/A, Incarcerated"**

I declare under penalty of perjury that the above information is true and correct.

February 15th 2006

Date

  
Signature of Applicant Larry Carl Dixon

**NOTICE TO PRISONER:** A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
AFFIDAVIT IN SUPPORT OF REQUEST  
TO PROCEED IN FORMA PAUPERIS

RECEIVED  
2006 FEB 23 A 9:58  
DEBRA

Larry Carl Dixon #138238  
Plaintiff(s)

vs.

Warden Willie Thomas, et.al.,  
Defendant(s)

I, Larry Carl Dixon #138238, being first duly sworn, depose and say that I am the plaintiff in the above entitled case; that in support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief. I recognize that I may be prosecuted for any false statement which I may make herein.

I further swear that the responses which I have made to questions and instructions below is true.

1. Are you presently employed? YES ( ) NO (xx)
  - A. If the answer is YES, state the amount of your salary or wages per month, and give the name and address of your employer.  
"N/A"
  - B. If the answer is NO, state the date of last employment and the amount of salary and wages per month which you received.  
"N/A, Incarcerated"
2. Have you received within the past twelve months any money from any of the following sources?
  - A. Business, profession or form of self-employment? YES ( ) NO (xx)
  - B. Rent payments, interest or dividends? YES ( ) NO (xx)
  - C. Pensions, annuities or life insurance payments? YES ( ) NO (xx)
  - D. Gifts or inheritances? YES (xx) NO ( )
  - E. Any other sources? YES ( ) NO (xx)

If the answer to any of the above is YES, describe each source of money and state the amount received from each during the past twelve months.

I recieve small monetary gifts from friends and family members

3. Do you own cash, or do you have money in a checking or savings account? [Include any funds in prison accounts.] YES ( ) NO (xx)

If the answer is YES, state the total value of the items owned.

See;Attached P.M.O.D. Printout

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property [excluding ordinary household furnishings and clothing]? YES ( ) NO (xx)

If the answer is YES, describe the property and state its approximate value.

"N/A"

5. List the persons who are dependent upon you for support, state your relationship to those persons and indicate how much you contribute toward their support. N/A Incarcerated

Larry C Dixon  
Signature of Affiant / Larry Carl Dixon

STATE OF ALABAMA }  
COUNTY OF \_\_\_\_\_ }

Before me, a notary public in and for said County, in said State, personally appeared \_\_\_\_\_, whose name is signed to the foregoing complaint, who being duly sworn, deposes on oath and says:

That the information set forth in the foregoing affidavit is true and correct to the best of his knowledge and belief.

\_\_\_\_\_  
Signature of Affiant

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_ County, Alabama

OR

I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_  
(date)

Larry C. Dipier  
Signature of Affiant

### CERTIFICATE

I hereby certify that the plaintiff herein has the sum of \$ 31 on account to his credit at the Elmore Corr. Center institution where he is confined. I further certify that plaintiff likewise has the following securities to his credit according to the records of said institution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I further certify that he has had the average sum on account at this institution as of the first day of each month of the immediate preceding months (not to exceed six (6) months).

- |    |    |       |                         |
|----|----|-------|-------------------------|
| 1. | \$ | _____ | on the 1st day of _____ |
| 2. | \$ | _____ | on the 1st day of _____ |
| 3. | \$ | _____ | on the 1st day of _____ |
| 4. | \$ | _____ | on the 1st day of _____ |
| 5. | \$ | _____ | on the 1st day of _____ |
| 6. | \$ | _____ | on the 1st day of _____ |

*Per statement attached*

DATE 2.16.06

Betty Hudson  
Authorized Officer of Institution

Dell Hudson

STATE OF ALABAMA  
DEPARTMENT OF CORRECTIONS  
ELMORE CORRECTIONAL FACILITY

AIS #: 138238

NAME: DIXON, LARRY C

AS OF: 02/16/2006

MONTH	# OF DAYS	AVG DAILY BALANCE	MONTHLY DEPOSITS
FEB	12	\$0.04	\$0.00
MAR	31	\$0.04	\$0.00
APR	30	\$1.18	\$28.00
MAY	31	\$0.31	\$0.00
JUN	30	\$0.31	\$0.00
JUL	31	\$0.31	\$0.00
AUG	31	\$0.31	\$0.00
SEP	30	\$0.31	\$0.00
OCT	31	\$0.31	\$0.00
NOV	30	\$0.31	\$0.00
DEC	31	\$0.31	\$0.00
JAN	31	\$0.31	\$0.00
FEB	16	\$0.31	\$0.00

A handwritten signature in cursive script, reading "Betty Hudson". The signature is written in black ink and is located in the lower right portion of the page.